

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Cotton et al.  
 Serial No. : TBA  
 Filed : TBA  
 For : NOVEL FORM OF S-OMEPRAZOLE  
 Examiner : TBA  
 Group Art Unit : 1625

<p><b>"Express Mail" Label No. EL608305543US</b>          Date of Deposit <b>SEPTEMBER 25, 2003</b>          I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231</p> <hr/> <p><i>BERNARD MAYS</i>          (Type or print name of person mailing paper or fee)</p> <hr/> <p><i>Bernard Mays</i>          (Signature of person mailing paper or fee)</p>
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MAIL STOP PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(b)**

Sir:

The subject application is a continuation of U.S. Patent Application Serial No. 10/076,711, filed February 14, 2002 (the "711 application"), which is a divisional of U.S. Patent Application Serial No. 09/077,719, filed June 8, 1998 (the "719 application"), now US 6,369,085 (the "085 patent"), which was the National Stage of International Application No. PCT/SE98/00974, filed May 25, 1998

Applicant submits this communication in compliance with 37 C.F.R. §§1.56, 1.97 and 1.98. Favorable consideration of the documents cited on the attached Form PTO-1449 is respectfully requested.

**COPIES OF CITED DOCUMENTS ARE NOT PROVIDED**

Pursuant to 37 C.F.R. §1.98(d) and the waiver of the requirement of 37 C.F.R. §1.98(b)(1), copies of the documents cited on the attached Form PTO-1449 are not provided with this information disclosure statement.

Except for the '085 patent and US 5,676,884 (the "'884 patent"), the listed documents were previously identified in one or more statements submitted in compliance with 37 C.F.R. §1.98(a)-(c), and/or cited by the Office, in the prior '711 and/or '719 applications. The '085 patent matured from the grandparent '719 application. The '884 patent was cited by the Office in co-pending U.S. Patent Application Serial No. 10/113,245, filed April 1, 2002, which is a continuation-in-part of the '719 application/'085 patent.

The prior '711 and '719 applications are properly identified in this statement and are relied on for an earlier effective filing date under 37 C.F.R. §120. Therefore, copies of the documents listed in this statement are not required under 37 C.F.R. §1.98(d).

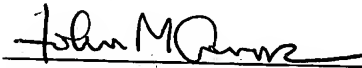
Furthermore, as announced in the Official Gazette of August 5, 2003, the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003 has been waived.

**TIME OF TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

This information disclosure statement is being filed under 37 C.F.R. §1.97(b)(1) within three months of the filing date of the referenced national application and, therefore, a fee is not required in connection with the filing of this statement. However, if any fee is required, the Assistant Commissioner is authorized to charge such fee to Deposit Account No. 23-1703.

Dated: September 25, 2003

Respectfully submitted,



John M. Genova  
Reg. No. 32,224  
Attorney for Applicants

Customer No. 007470  
Agent Direct Dial: (212) 819-8832

FORM PTO-1449 (REV. 2-82)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Atty. Docket No. 1103326-0502-CON	Serial No. TBA
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: Cotton et al.	
		Filing Date: TBA	Group: 1625

## UNITED STATES PATENT DOCUMENTS

*Examiner Initial	Document No.							Date	Name	Class	Sub-Class	Filing Date, if Appropriate
	4	2	5	5	4	3	1	03.10.81	Junggren et al.	424	263	
	4	7	3	8	9	7	4	4/1988	Brändström	514	338	
	4	7	8	6	5	0	5	22.11.88	Lovgren et al.	424	468	
	5	8	1	7	3	3	8	06.10.98	Bergstrand et al.	424	468	
	5	9	0	0	4	2	4	5/1999	Källström et al.	514	338	

## FOREIGN PATENT DOCUMENTS

*Examiner Initial	Document No.							Date	Country	Class	Sub-Class	Translation Yes No	
	9	5	0	1	9	7	7	1/1995	WO				

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Erlandsson, P. Et al., "Resolution of the enantiomers of omeprazole and some of its analogues by liquid chromatography on a trisphenylcarbamoyl cellulose-based stationary phase", Journal of Chromatography, 532 (1990) 305-319.
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Examiner:

Date Considered:

\*Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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BY APPLICANT

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FOREIGN PATENT DOCUMENTS

*Examiner Initial	Document No.	Date	Country	Class	Sub-Class	Translation Yes No
	0 0 0 5 1 2 9	10/1979	EP			
	0 1 2 4 4 9 5	11/1984	EP			
	0 2 4 7 9 8 3	12/1987	EP			
	9 4 2 7 9 8 8	12/1994	WO			
	9 6 0 1 6 2 3	1/1996	WO			
	9 6 0 2 5 3 5	2/1996	WO			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	von Unge, S. et al. "Stereochemical assignment of the enantiomers of omeprazole from X-ray analysis of a fenchyloxymethyl derivative of (+)-(R)-omeprazole"; <u>Tetrahedron Asymmetry</u> , Vol. 8, No. 12, pp. 1967-1970 (1997)
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*Examiner Initial	Document No.							Date	Name	Class	Sub-Class	Filing Date, if Appropriate
	5	6	9	3	8	1	8	12/1997	von Unge	546	273.7	
	5	7	1	4	5	0	4	2/1998	Lindberg et al.	514	338	23.01.95
	5	8	7	7	1	9	2	3/1999	Lindberg et al.	514	338	11.04.97

FOREIGN PATENT DOCUMENTS

*Examiner Initial	Document No.							Date	Country	Class	Sub-Class	Translation Yes No	
	1	1	3	6	5	6	4	11/1996	CN				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

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	5	5	3	0	1	6	0	6/1996	Nore et al.	562	571	
	5	6	7	6	8	8	4	10/1997	Tiers et al.	252	582	
	5	6	9	0	9	6	0	1/1997	Bengtsson et al.	514	338	
	6	3	6	9	0	8	5	4/2002	Cotton et al.	514	338	

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**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)**

		Japanese Chemical Society, Experimental Chemical Seminar. Vol. 18. p. 55 (translation), 1958
		An Introduction to Crystal Chemistry by Evans Cambridge at the Univ. Press, 1964

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